





Patent

Attorney's Docket No. <u>032367-449</u> Applicant or Patentee: Burton G. Christensen, Application or Patent No.: 09/457,926 Filed or Issued: December 8, 1999 For: Novel Anti-Bacterial Agents VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. §§ 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN I hereby declare that I am [] the owner of the small business concern identified below: an official of the small business concern empowered to act on behalf of the [X] concern identified below: NAME OF CONCERN Advanced Medicine, Inc. 901 Gateway Boulevard ADDRESS OF CONCERN ___ South San Francisco, California 94080 I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 1.21 for purposes of paying reduced fees under Sections 41(a) and 41(b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average, over the previous fiscal year of the concern, of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both. I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled NOVEL ANTI-BACTERIAL AGENTS by inventor(s) Burton G. Christensen, Edmund J. Moran, John H. Griffin, Mathai Mammen, J. Kevin Judice, James Aggen and YongQi Mu described in [] the specification filed herewith Application No. <u>09/457,926</u>, filed <u>December 8, 1999</u> [X]

If the rights held by the above-identified small business concern are not exclusive, each individual, concern, or organization having rights to the invention is listed below,* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c), or by any concern that would not qualify as either a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

_____ , issued __

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*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27.)

Application No. <u>09/457,926</u> Attorney's Docket No. <u>032367-449</u>

NAME			
ADDRESS			
	[] individual	[] small business concern	[] nonprofit organization
NAME			
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	[] individual	[] small business concern	[] nonprofit organization
resulting in los earlier of the	s of entitlement issue fee and ar	to small entity status prior to	t, notification of any change in status o paying, or at the time of paying, the the date on which status as a small
statements me statements we punishable by Code; and that	ade on informa ere made with th fine or imprison at such willful fa	tion and belief are believed e knowledge that willful falso ment, or both, under Section	own knowledge are true and that all to be true; and further that these statements and the like so made are 1001 of Title 18 of the United States ze the validity of the application, any statement is directed.
NAME OF PER	SON SIGNING _	David E. Boo	ne
TITLE OF PER	SON OTHER TH	AN OWNER <u>Vice Preside</u>	nt and Chief Patent Council
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		VA	. 4
SIGNATURE _	Dem,	TX Ine	DATE July 26, 2000

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY (Includes Reference to Provisional and PCT International Applications)

Attorney's Docket No.

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032367-449

My residence I believe I am	, post office addr	hereby declare that: ress and citizenship are as stated at and sole inventor (if only one subject matter which is claimed	below next to my name; name is listed below) or an originand for which a patent is sought or	al, first and joint inventor (if plural on the invention entitled:
NOVEL AN	TI-BACTERIAL	AGENTS		
			REVO	
the s	pecification of w	hich (check only one item below): Aug 0 7 2000	
	is attached here	to.		
\square	was filed as Un	ited States application	PATENT & TRADE	
	Number <u>09/45</u>	57,926		
,	on December	8, 1999		
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	on		(if applicable).	•
П	was filed as PC	T international application		
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amended by	any amendment	referred to above.	nts of the above-identified specification	ation, including the claims, as patentability as defined in Title 37,
Code of Fed I hereby cla or inventor America lis internationa	deral Regulations tim foreign priori is certificate or of ted below and ha displication(s) d	, §1.56. ty benefits under Title 35, Unite f any PCT international applicati ve also identified below any fore esignating at least one country o	d States Code, §119 (a)-(e) of any	of foreign application(s) for patent entry other than the United States of ventor's certificate or any PCT erica filed by me on the same
PRIOR FORE	IGN/PCT APPL	ICATION(S) AND ANY PRIO	RITY CLAIMS UNDER 35 U.S.	C. §119:
	INTRY licate "PCT")	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. §119
				_ Yes _ No
				_ Yes _ No
				_ Yes No
				_ Yes _ No
				_ Yes _ No
				isional application(s) listed below.
(App	lication Number)		(Filing Date)	

(Filing Date)

(Application Number)



Attorney's Docket No.

032367-449

I hereby claim the benefit under Title 35, United States Code, §120 of any United States applications(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Office all information known to me to be material to the patentability as defined in Title 37, Code of Federal Regulations §1.56, which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 U.S.C. 120:

	U.S. APPLICATIONS		ST	ATUS (check	one)
U.S. APPLICATION NUMBER		U.S. FILING DATE	PATENTED	PENDING	ABANDONED
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РСТ	APPLICATIONS DESIGNATING 1	ΓHE U.S.			
PCT APPLICATION NO.	PCT FILING DATE	U.S. APPLICATION NUMBERS ASSIGNED (if any)			

I hereby appoint the following attorneys and agent(s) to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications directed to said invention:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

		Attornov's	Doolrot No
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